



DRC / TFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mike Bowling et al.
Serial No.: 10/630,290
Filed: July 30, 2003
For: Method of Wastewater Treatment
Utilizing White Rot and Brown Rot Fungi

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

SECOND RESPONSE TO DECISION REFUSING STATUS UNDER 37 CFR 1.47(a)

Sir:

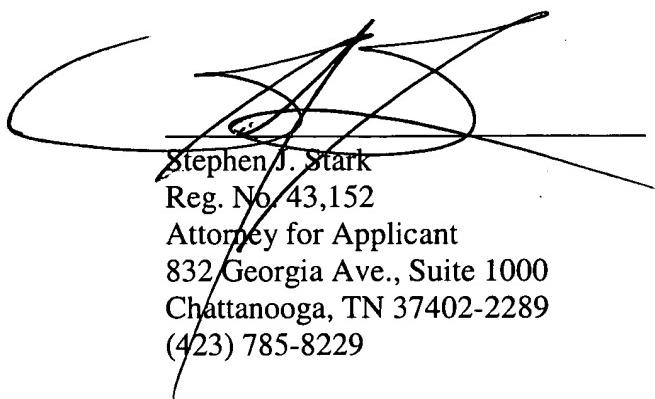
The Applicant has received the Decision dated October 18, 2004. Once again, the Petition was dismissed.

However, in the decision of October 18, 2004, a number of issues have been corrected, and the only remaining issue appears to be a missing element of 37 CFR 1.47(a)(2). Specifically, in the Declaration only one of the two inventors is named with the signature under 37 CFR 1.47(a). In the decision mailed October 18, 2004, it appears that the non-signing inventor still needs to be named although the signature block should be left blank.

Enclosed is the Declaration in the format as requested October 18, 2004. Accordingly, with this submission, the Petition is believed to finally be provided in an acceptable form.

The Applicant sincerely appreciates the Office's help in providing the necessary supplemental filings to provide an appropriate Petition.

Respectfully submitted,



Stephen J. Stark
Reg. No. 43,152
Attorney for Applicant
832 Georgia Ave., Suite 1000
Chattanooga, TN 37402-2289
(423) 785-8229



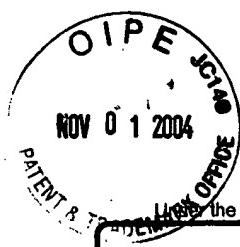
CERTIFICATE OF MAILING

I hereby certify that the preceding Brief on Appeal is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

On this 28th day of October, 2004.

Beverly L. Middleton
Beverly L. Middleton



DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input type="checkbox"/>		Customer Number or Bar Code Label	03490	OR <input checked="" type="checkbox"/> Correspondence address below
Alan Ruderman				
Name				
Miller & Martin LLP Suite 1000 Volunteer Building; 832 Georgia Avenue				
Address		Tennessee	37402-2289	
Chattanooga City		State	ZIP	
USA Country	(423) 756-6600 Telephone	(423) 785-8480 Fax		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR :		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Michael (first and middle [if any])		Family Name Bowling		
Inventor's Signature				Date 7/7/03
Hixson Residence: City	Tennessee State	USA Country	USA Citizenship	
6613 Schooner Bay Lane				
Mailing Address				
Hixson City	Tennessee State	37343 ZIP	USA Country	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name Phil (first and middle [if any])		Family Name Adams		
Inventor's Signature				Date
Roswell Residence: City	Georgia State	USA Country	USA Citizenship	
3075 Foxhall Overlook				
Mailing Address				
Roswell City	Georgia State	30075 ZIP	USA Country	
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.				